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### Parole Interview Transcript & Decision - FUSL000008

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NYS DEPARTMENT OF CORRECTIONS  
AND COMMUNITY SUPERVISION  
BOARD OF PAROLE

\*\*\*\*\*

Parole Board Hearing

In the Matter

- of -

DIN #  
NYSID

\*\*\*\*\*

TYPE OF HEARING: Reappearance

HELD AT: Great Meadow CF

(Video-conferenced to 97 Central Ave. Albany, New York)

HELD ON: January 25, 2012

BEFORE: COMMISSIONER FERGUSON  
COMMISSIONER ELOVICH  
COMMISSIONER HAGLER

VERBATIM REPORTER: Christina M. Wolcott

[REDACTED]

1 BY COMMISSIONER ELOVICH:

2 Q. Hi. Are you a [REDACTED]

3 A. Yes.

4 Q. I'm Commissioner Elovich, with me today are  
5 Commissioners Ferguson and Hagler. How are you today,  
6 sir?

7 COMMISSIONER FERGUSON: Good morning.

8 COMMISSIONER HAGLER: Good morning.

9 A. Okay.

10 Q. Okay. Good. All right, sir. You are incarcerated  
11 for Murder 2nd Degree, two counts, and you're serving 20  
12 to life, is that correct?

13 A. That's correct.

14 Q. Now, you've been before the Board of Parole on many  
15 previous occasions, but you have a new board today.  
16 Commissioner Ferguson, Hagler and myself, and we're not  
17 in anyway bound by past board decisions, okay? Before  
18 we start or complete anymore of the interview, I wanted  
19 to let you know that we tried to get the sentencing  
20 minutes, we were unable to do so, despite the parole  
21 officer's diligent efforts to get them. The Court sent  
22 a letter on January 11th, 2008, signed Patricia Knoll.  
23 It said the sentencing transcript in this case was never  
24 filed, and that the Court reporter, Kenneth Bailey, has  
25 been retired for many years, and they're unable to

[REDACTED]

1 locate the minutes, and they cannot provide them to us.  
2 You were there at the time of sentencing. If there was  
3 anything that you think would be particularly helpful  
4 that was said at sentencing, you can feel free to let us  
5 know. Now, this was a very violent case, sir. It  
6 involved you killing your wife and five-year-old son.  
7 Is there anything that you wish to say about that? In  
8 the pre-sentence report it says that you stabbed them  
9 both to death with a butcher's knife. After you stabbed  
10 them, you then called the troopers, they came to arrest  
11 you and, when you were at their barracks, you ran  
12 through a plate glass window towards a gas station and  
13 then you tried to drink gas. Anything you want to say  
14 regarding the instant offense?

15 A. Everything you just mentioned on record is correct.  
16 It's also stated on the record I made a statement. I  
17 was in an unhappy marriage, and I was very depressed  
18 which, in turn, led me to try to take my life and I was  
19 depressed.

20 Q. Well, it says in the pre-sentence report that you had  
21 an unhappy marriage, you felt that your wife held you  
22 back from getting higher education, which would have  
23 enabled you to get a job that you liked more, and it  
24 also said in the pre-sentence report that you had  
25 thoughts about killing your wife and son for months

[REDACTED]

1 before you actually did it, so it was something you had  
2 thought about, not something that suddenly happened on  
3 the spot, that's what it said in the pre-sentence  
4 report.

5 A. If that's what it says -- it's been 30-plus years. I  
6 can't remember everything -- if that's what it says, I  
7 guess it says that. I'm not being evasive, but it's  
8 been a long time.

9 Q. It said in the presentence report, on page 3, that  
10 you were not in love with your wife and that you felt  
11 pressured into marrying her.

12 A. That's correct.

13 Q. You also went on to say in the presentence report  
14 they had said that you said -- you said you resented the  
15 fact that you could not further your education because  
16 of your marriage and your responsibilities as a family  
17 man, so is there anything at this time that you wish to  
18 say further regarding this horrendous crime where you  
19 killed, not only your wife, but a vulnerable, young,  
20 little boy who you should have been there to love and  
21 protect instead of kill?

22 A. Yeah. I recognize I have a horrendous crime,  
23 Commissioner, and, in all honestly, to tell you the  
24 truth, I'm at a loss of words to what to say. I'm not  
25 being evasive. I'm sorry for what I did. I acted



[REDACTED]

1 foolishly, I did a dumb thing, and I regret what I have  
2 done. You know, I -- I've come full circle, if I may  
3 use that expression. When I first come into the system  
4 I was angry, bitter and mad at the world and blamed  
5 everybody but myself, blaming her, in a state of denial  
6 and I'd gone through the stages of anger, mad,  
7 depression to full responsibility of what I have done  
8 and recognize this horrific, terrible thing I have done.  
9 In fact, when I watched the news, local news, and I hear  
10 a child being abducted and murdered, it enrages me, so I  
11 understand the magnitude of my crime, because when I  
12 hear it happening to other children, it does enrage me.

13 Q. Why would you do something this horrendous? You were  
14 never in trouble with the law before. You had a lot of  
15 pent-up anger and resentment in you, how does that lead  
16 to killing two innocent people?

17 A. Commissioner, I have no answer. I just -- there is  
18 no answer. I honestly don't know.

19 Q. All right, sir. I have your personal statement that  
20 you wrote to the file and you read into the record on  
21 your last Board appearance with Commissioners Loomis and  
22 Grant, so we will take note of that. I also have a  
23 letter from your brother, who is very supportive of you,  
24 and would offer you a place to live and he'd support you  
25 emotionally and financially in the process as well. I

1 also see letters in the file from multiple correction  
2 officers, which we don't see that --

3 A. Yes, ma'am.

4 Q. We don't see that very often, so that's to your  
5 credit, sir, that the officers think enough of you to  
6 stick their neck out, so to speak, and write on your  
7 behalf, so we'll take those into consideration as well.

8 A. If I may.

9 Q. Go ahead.

10 A. Again, I recognize that I am here for a very, very  
11 horrendous crime. I also entered the system with the  
12 mindset that I was going to be determined to walk a  
13 straight line, if I may use that expression, and be a  
14 model inmate, to show that I have put forth a sincere  
15 effort to rehabilitate and not present myself as a  
16 menacing threat, not only to the operations of the  
17 facility, but if I should be granted parole. With 32  
18 years incarcerated, with one disciplinary, because you  
19 have my disciplinary record before you --

20 Q. Yes. You have a very good disciplinary record. It  
21 appears only one infraction in the entire time you've  
22 been serving.

23 A. Yes.

24 Q. That's to your credit, sir, also. We don't see that  
25 very often. Now, in terms of your release plan, it says

[REDACTED]

1 there were a couple of things. At one point you wanted  
2 to live with your wife and at another point it was with  
3 your brother. Is it still with your brother at this  
4 point?

5 A. At the time that statement was made, this particular  
6 brother had passed away. He died in 2010.

7 Q. The one in [REDACTED] passed away?

8 A. I had two brothers in [REDACTED] The one I was going  
9 to initially live with passed away in 2010.

10 Q. Sorry for your loss.

11 A. But the other brother that's in [REDACTED] he stepped  
12 up and said I can move in with him.

13 Q. What does he do?

14 A. He works for the postal service. He's a mailman.  
15 He's not married, he has his own home, he has a live-in  
16 girl friend, so there's no children there, no minors  
17 there.

18 Q. All right. What would you do for employment? You  
19 would have to apply for an interstate transfer to  
20 [REDACTED] and, assuming you would be able to get that,  
21 what would you do?

22 A. Living with my brother would provide shelter for me,  
23 food, clothing, shelter, and my plans is to find any  
24 form of part-time work, even picking up leaves and  
25 washing dishes and going to school full time to take up



1     culinary arts or take up nursing, that's my plan to go  
2     to school.

3                   COMMISSIONER ELOVICH: All right.

4     Commissioners?

5                   COMMISSIONER FERGUSON: No additional  
6     questions. Thank you.

7                   COMMISSIONER HAGLER: I have no  
8     questions.

9     Q. All right, sir. Is there anything I haven't  
10    mentioned that you'd like us to know?

11    A. Yes. If I may, I have learned from this terrible  
12    ordeal. Again, I recognize my crime is very heinous,  
13    very serious, but I've also learned from it that life is  
14    very, very precious and family is very precious. My  
15    time in the system, I've matured tremendously. I was 27  
16    when I committed this crime, I'm 60 years of age now. I  
17    understand the seriousness of life and being a  
18    law-abiding citizen and I feel, Commissioner, that if I  
19    can be a model prisoner for 30-plus years in this system  
20    in a very, very violent prison environment, fights and  
21    drugs and weapons and so forth, and stay above that  
22    fray, than I can certainly be a model citizen if granted  
23    parole and release, that in no way, shape, form or  
24    fashion would I quote, "Be a menace or threat to  
25    society." I would certainly not revert back to criminal

activity in no way, shape form or fashion. This has been a life altering experience. It's made me a better person, and I understand the seriousness of life and obeying civil law.

Q. All right, sir. We'll take all that into consideration and we'll get back to you in a few days.

A. Okay.

COMMISSIONER ELOVICH: Commissioners?

COMMISSIONER FERGUSON: Nothing

additional.

(The inmate was excused.)

(After due deliberation by the Parole Board panel, the following decision was rendered:)

D E C I S I O N

Parole is denied. Hold 24 months.

Next appearance 1-2014.

After review of the record and interview, the Panel has determined that if released at this time your release would be incompatible with the welfare of society and would so deprecate the serious nature of the crime as to undermine respect for the law.

Required statutory factors have been considered, including your risk to the community, rehabilitation efforts and your needs at successful community reintegration.

Your instant offense is Murder 2nd Degree, which you continue to serve 20 to life. Your crime involved you stabbing your wife and five-year-old son to death.

The Board notes your letters of support, positive program accomplishments and good behavior in prison. More compelling, however, is the extreme violence exhibited in the instant offense against two victims, one of whom was your vulnerable five-year-old child, and your callous disregard for their lives. This, as well as your lack of insight into this heinous crime, make your

release at this time inappropriate.

(All commissioners concur.)

C E R T I F I C A T I O N

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the above cause and that this is a correct transcript of the same to the best of my ability.

Christina M. Wolcott